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a gate electrode formed on the gate insulating film, a lower edge of the gate electrode being in a round shape and containing silicon; and

a post oxide film formed on the second region, containing silicon and oxygen and arranged to be in contact with the gate insulating film and the lower edge of the gate electrode.

### REMARKS

In this Amendment, supplementary to the RCE filed on May 29, 2002, Applicants have amended claim 1 to more appropriately define the present invention, and in order to advance the prosecution of this application. In accordance with the requirements of 37 C.F.R. § 1.121(c)(1), Applicants provide a marked-up version of the amended claim in an attached Appendix designated "Version of Claim with Markings to Show Changes Made." Claims 1 – 5 and 7 – 19 remain pending, with claims 8 – 19 withdrawn from consideration as directed to a non-elected invention.

Applicants submit for the Examiner's consideration the Remarks in the March 28, 2002 Request for Reconsideration after Final. Applicants further submit that independent claim 1 is in condition for allowance, since Rhee, Teramoto, and Takemura, taken alone or in combination, as cited by the Examiner in the Final Office Action of January 29, 2002, do not disclose or suggest all the recitations of Applicants' independent claim 1. Furthermore, claims 2 – 5 and 7 are also in condition for allowance, at least by virtue of their dependence from allowable base claim 1. A favorable action is requested.

Should the Examiner continue to dispute the patentability of the claims after consideration of this Amendment, Applicants invite the Examiner to contact Applicants' representatives by telephone to discuss any remaining issues.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com